

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

DAREDEVIL, INC.,)	
A MISSOURI CORPORATION,)	
)	
Plaintiff)	
)	
v.)	Civil No. 4:12-CV-01166 TIA
)	
ZTE CORPORATION,)	
A CORPORATION INCORPORATED)	
UNDER THE LAWS OF THE PEOPLE'S)	
REPUBLIC OF CHINA,)	
)	
Defendant.)	

JOINT STATUS REPORT

Plaintiff Daredevil, Inc. ("Plaintiff" or "Daredevil") and Defendant ZTE Corporation ("Defendant" or "ZTE Corporation") hereby file this Joint Status Report, pursuant to the February 18, 2015 Order of this Court requiring the parties file a joint notice informing the court on the following three issues: (1) the status of the proceedings in the related matter, *PTA-FLA, Inc. v. ZTE USA, Inc.*, Case No. 3:11-CV-510, pending in the Middle District of Florida; (2) whether Plaintiff has completed service of process herein; and (3) the necessity, if any, of continuing the stay in this case. (D.E. 52)

1. Status of the proceedings in the related matter, *PTA-FLA, Inc. v. ZTE USA, Inc.*, Case No. 3:11-CV-510, pending in the Middle District of Florida.

On December 16, 2014, Judge Timothy J. Corrigan of the United States District Court for the Middle District of Florida entered an order which, among other things, joined as parties Daredevil, Inc., NTCH-West Tenn, Inc., NTCH-WA, Inc., and Eric Steinmann to the Florida case and established a briefing schedule on ZTE USA's pending motion to confirm the

arbitration award. Plaintiff Daredevil, Inc. filed no opposition to ZTE USA's motion to confirm. Daredevil, Inc., NTCH-West Tenn, Inc., and NTCH-WA, Inc.'s reply brief related to personal jurisdiction and service is due on or before February 27, 2015. Once that brief is filed, ZTE USA's motion to confirm will be fully briefed and a decision from Judge Corrigan is expected soon thereafter.

2. Whether Plaintiff has completed service of process in this case

On or about November 27, 2014, ZTE Corp. received copies of the papers attached hereto as Exhibit A. To date, plaintiff Daredevil, Inc., has not filed any affidavit of service in compliance with the Hague Convention or proof of service from the Central Authority of China related to the documents attached as Exhibit A.

Plaintiff believes that the process was duly served on ZTE Corp., but to date, despite inquiry, has not received the affidavit of service or proof of service for filing with the Court. Plaintiff hopes to receive and file the affidavit of service in the near future.

3. Necessity, if any, of continuing the stay in this case.

Defendant believes the arbitration award will be confirmed and that it completely bars all of Plaintiff's claims against Defendant in this case. Since Plaintiff has not yet perfected service of process upon ZTE Corp. pursuant to the Hague Convention, and a decision on ZTE USA's motion to confirm the arbitration award in Florida will be forthcoming soon, Defendant's position is that this case should remain stayed.

Plaintiff contends that the arbitration award, regardless of whether confirmed, will not act as a bar to Plaintiff's claims against Defendant in this case. Plaintiff, however, also concurs with Defendant, that this action should remain stayed pending the decision of in the Middle District of Florida on ZTE USA's Motion to Confirm.

Respectfully submitted,

PAULE, CAMAZINE & BLUMENTHAL, P.C.
A Professional Corporation

By: /s/ David M. Slaby

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Respectfully Submitted,

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